

3.7. LAND USE

3.7.1. INTRODUCTION

This section describes the existing land uses at the project sites and surrounding area, potential land use impacts are identified, and mitigation measures are recommended when necessary. The project site is unincorporated land within San Joaquin County, and the project includes annexation to the City of Lodi.

While this section contains a discussion of the consistency of the proposed project with relevant land use policies, policy conflicts do not, in and of themselves, constitute a significant environmental impact. Land use policies are discussed in this section for informational purposes only. All other associated physical impacts are discussed in this EIR in specific topical sections such as noise, air quality, and transportation.

3.7.2. ENVIRONMENTAL SETTING

The following section describes the existing land uses at the project sites and the regulatory context.

Existing Land Uses. The City of Lodi General Plan Land Use designations on the Project site and surrounding area are shown in Figure 3.7.1. The City of Lodi and San Joaquin County Zoning Designations are shown in Figure 3.7.2.

Project Site. The Project site is approximately 220 acres and is comprised of 22 parcels which are currently developed with residential, agricultural and private lodge (Moose Lodge) uses. These parcels can be seen in Figure 3.7.3. The dominant uses on the project site are agricultural. Grape vineyards are found throughout the project area and are the predominate agricultural use on the project site.

This project site is bounded on the north by Harney Lane and on the east by State Route 99. Harney Lane is a two-lane collector road maintained by the City of Lodi. State Route 99 is a four-lane major highway that is maintained by the State Department of Transportation (Caltrans).

The site is bounded on the south by agricultural uses and on the west by a Union Pacific railroad right-of-way.

PHOTO 3.7.1: VIEW LOOKING EAST FROM NORTHWEST CORNER OF PROJECT SITE.



There are several structures located on the project site. There is a cluster of single-family homes located off Stockton Street, a road that extends south into the Project site from Harney Lane. Also located on the project site (adjacent to the frontage road along State Route 99) is a Moose Lodge.

Interior roads are limited to providing access to existing residences on the project site. These are one-lane roads both paved and unpaved.

PHOTO 3.7.2: EXISTING RESIDENCES LOCATED ALONG NORTH/SOUTH ACCESS ROAD ON THE PROJECT SITE.



Surrounding Area. Irrigated vineyards border the project site to the west and to the south. Agricultural uses and unincorporated San Joaquin County are located further west of the project site. State Highway 99 borders the entire east side of the project site. This is a four-lane highway that is maintained by the State. Agricultural, commercial, and residential uses are located to the north. Harney Lane forms the northern boundary of much of the project site. This is a two-lane paved road that is maintained by the City of Lodi. Residential uses, agricultural uses, and unincorporated areas of the San Joaquin County are located further south of the project site.

PHOTO 3.7-3: VIEW LOOKING NORTH FROM MOOSE LODGE TO K & B HOME SITES.



Development Planned Near the Project Sites. The following provides information related to planned projects near the project site.

There are currently no pending or planned projects near the project site.

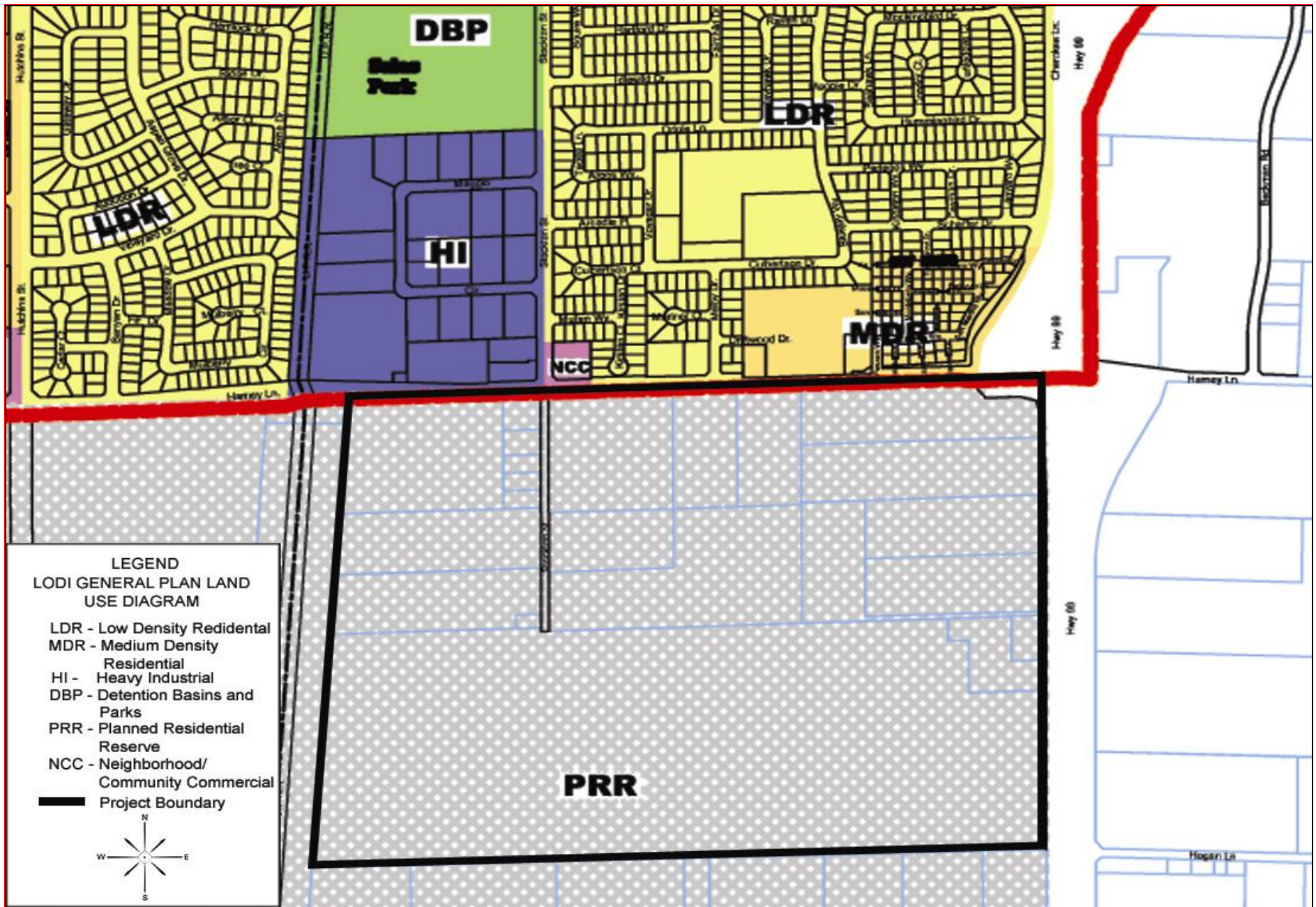


FIGURE 3.7.1: CITY OF LODI GENERAL PLAN LAND USE DESIGNATIONS

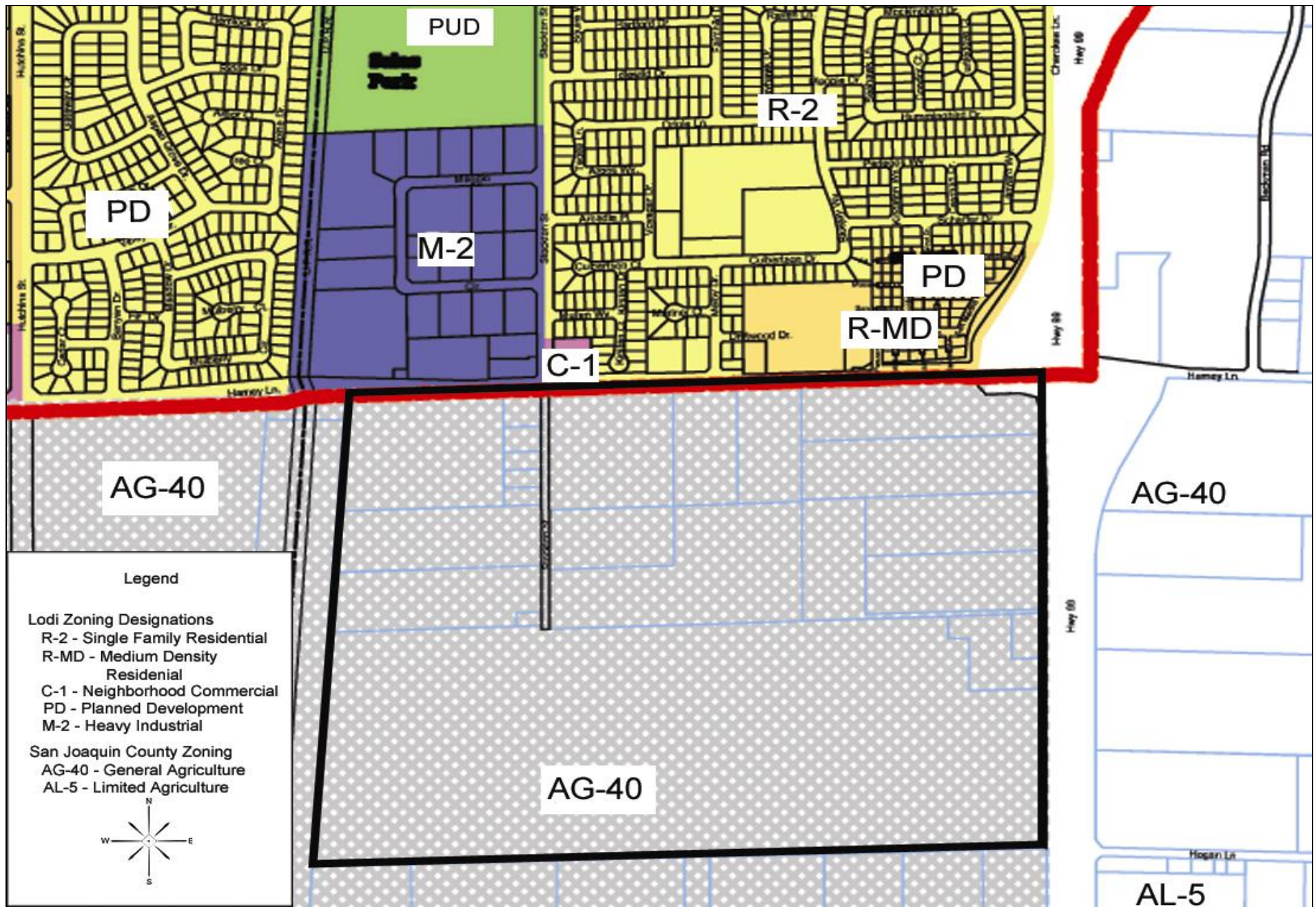
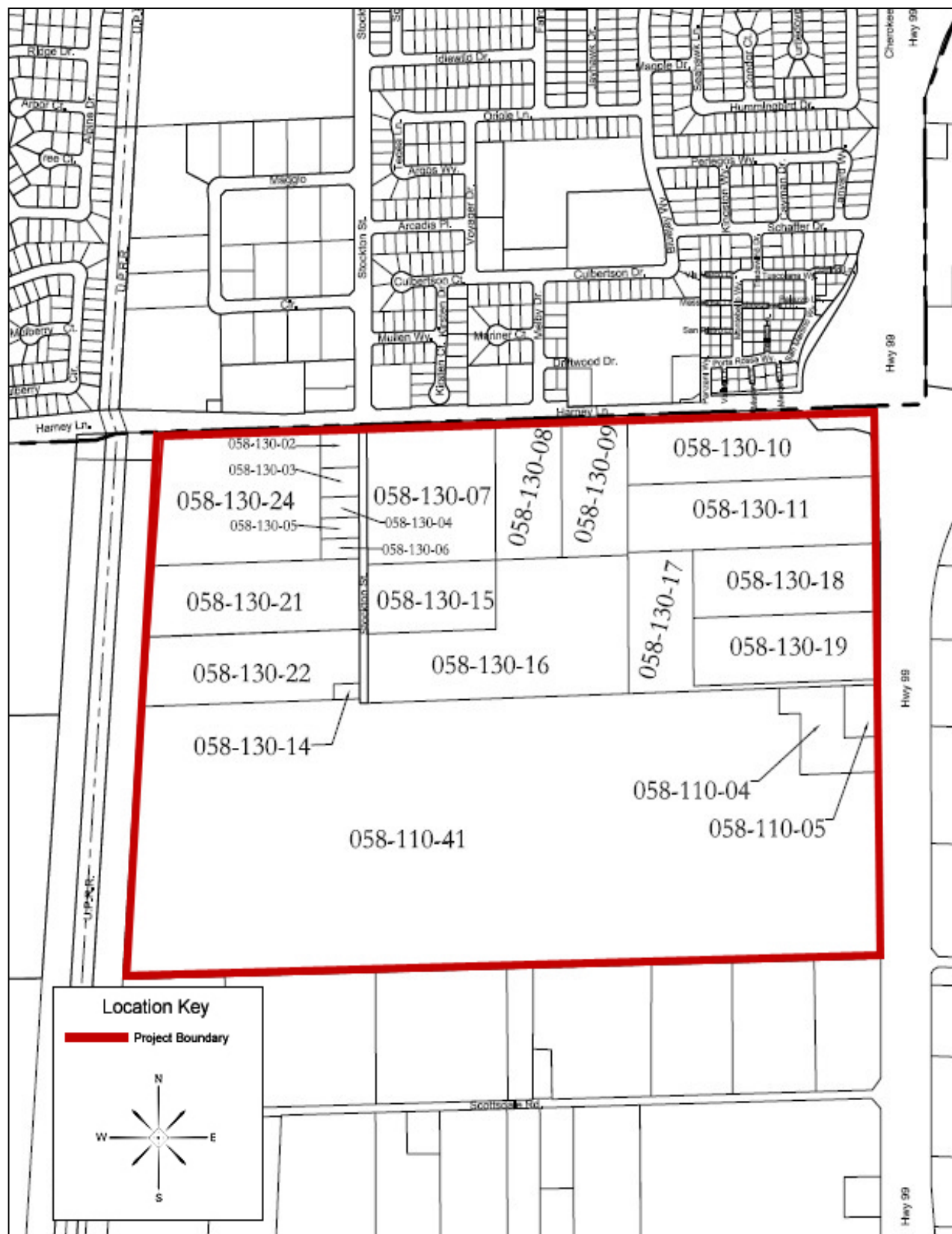


FIGURE 3.7.2: CITY OF LODI AND SAN JOAQUIN COUNTY ZONING DESIGNATIONS



3.7.3. PROPOSED PROJECT

Concept Land Use Plan and Development Plan

The project involves the creation of a Development Plan of approximately 60 acres within a larger Reynolds Ranch Project of approximately 220 acres, all within the southeast section of the City of Lodi's Sphere of Influence. As Figure 3.7.4 depicts, the entire project boundary is bordered by the State Route 99 to the east, the Union Pacific Rail Road to the west, Harney Lane to the North, and the property line that runs parallel and approximately 637 feet north of Scottsdale Road to the South. The entire Reynolds Ranch Project is outside the current City boundaries but within the Planned Residential Reserve designation of the General Plan and within the LAFCO approved Sphere of Influence.

The entire Reynolds Ranch Project entails approximately 160+ acres of residential including a park, mini storage, school, public, and quasi-public uses, 20+/- acres of office, and 40+/- acres of retail use (Figure 3.7.4). Within that entire project area there will be a project level analysis consisting of the 60 +/- acre retail and office area and a program level analysis consisting of the 180+/- acre mixed use development. In addition, a separate Utility Master Plan will focus on all the utility needs of the entire 220 acres Reynolds Ranch Project, which includes the 60-acre Project level office and commercial/retail portion, as well as the remaining Program Level 160 acres of mixed-use development.

The Project level analysis includes only the office and retail uses totaling 60+/- acres. The office use (Figure 3.7.5) is anticipated to be approximately a 200,000 square foot multi-story building at full capacity on a 20+/-acre site employing a total of 1,600 employees at full capacity. The office user is anticipated to be a single owner-occupied corporation operating back office services and a large call center with an expected parking need of 900+ spaces in two shifts. The retail component is proposed to consist of approximately 350,000 square feet of general retail space consisting of two major retail buildings, a "Junior A" and "Junior B" retail spaces, and additional retail shops and restaurants.

The project will be constructed in two (2) phases as depicted in Figure 3.7.6. Approximately 23 acres will be developed with residential uses along with the 20-acre office parcel in the first phase. The second phase of the project consists of the buildout of the remainder of the entire Reynolds Ranch Project.

Table 3.7.1 sets forth the major land use components of the Reynolds Ranch Project.

LAND USE
REYNOLDS RANCH
CITY OF LODI, CALIFORNIA

LAND USE SUMMARY

LAND USE	ACRES	FIXED COUNT	UNITS	BLDG AREA (S.F.)
<div>LDR</div> LOW DENSITY RESIDENTIAL	20.6	5 DU/AC	103	
<div>MDR</div> MEDIUM DENSITY RESIDENTIAL	63.9	10.3 DU/AC	631	
<div>HDR</div> HIGH DENSITY RESIDENTIAL	9.1	22 DU/AC	200	
<div>SHDR</div> HIGH DENSITY RESIDENTIAL- SENIOR	3.0	50 DU/AC	150	
<div>C</div> RETAIL COMMERCIAL	40.5			350,000
<div>OFF</div> OFFICE	20.1			200,000
<div>MS</div> MINI STORAGE	5.3			
<div>PQP/FIRE</div> PUBLIC / QUASI PUBLIC	1.0			
<div>S</div> SCHOOL	14.0			
<div>PARK</div> NEIGHBORHOOD PARK	5.4			
<div>OS</div> OPEN SPACE	7.3			
<div>DB</div> DETENTION BASIN	8.0			
<div>I/OR</div> INTERCHANGE/ON-RAMP	4.5			
<div>IS</div> INTERNAL STREETS	17.3			
TOTAL	220.0		1,084	550,000

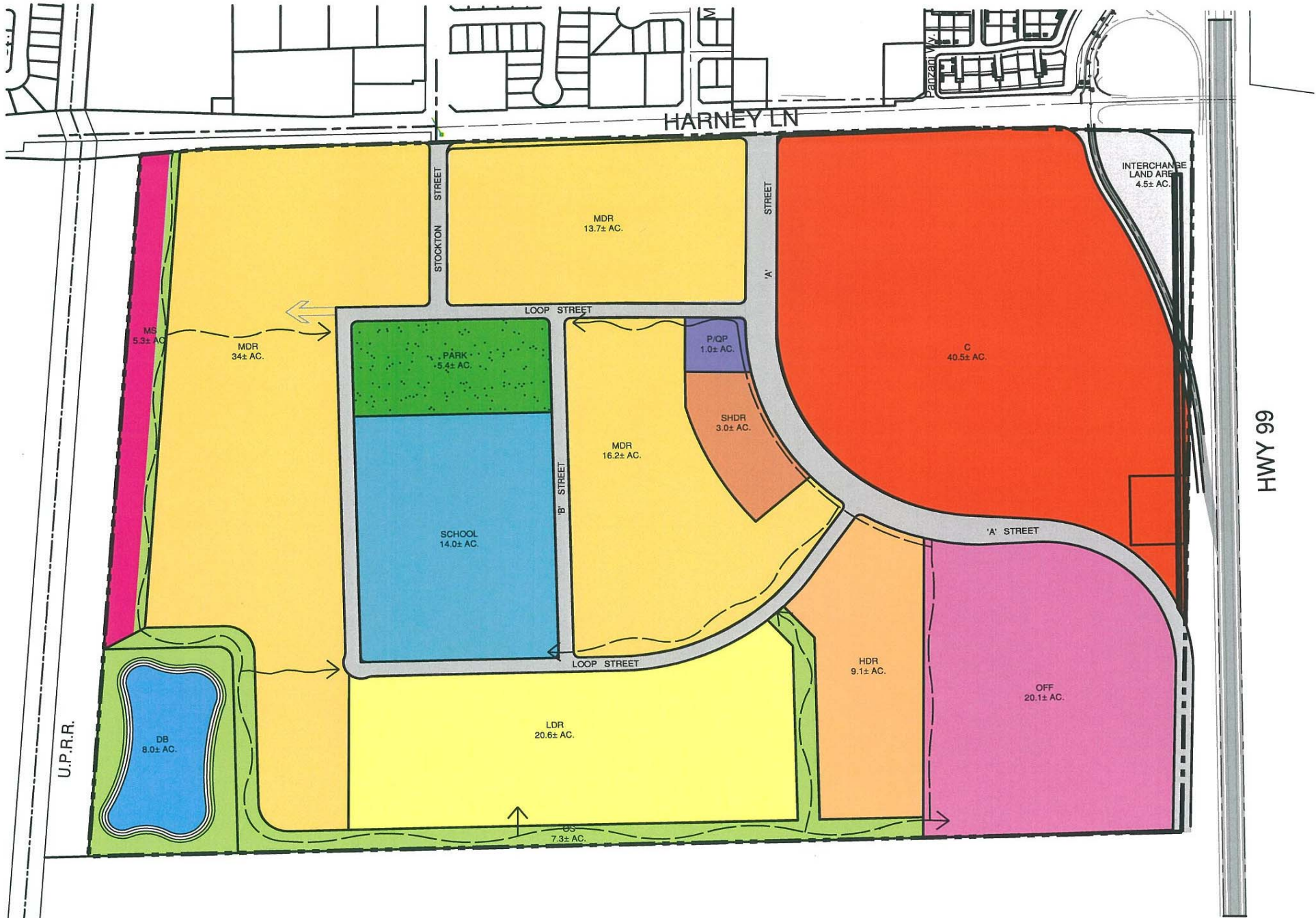


FIGURE 3.7.4: REYNOLDS RANCH CONCEPT LAND USE PLAN

OFFICE & RETAIL SCHEMATIC PLAN
REYNOLDS RANCH
 CITY OF LODI, CALIFORNIA



REVISED: MAY 17, 2006
 APRIL 28, 2006

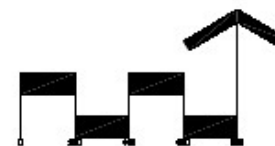
G.C. WALLACE OF CALIFORNIA, INC.
 Engineers/Planners/Surveyors
 2500 BERRY PLACE, SUITE 100, SACRAMENTO, CALIFORNIA 95833
 TELEPHONE: (916) 286-7600 • FAX: (916) 286-7603

FIGURE 3.7.5: PROPOSED DEVELOPMENT PLAN

[illegible]

10/10

PHASE II (BUILD-OUT 2030)



APRIL 25, 2008

G.C. WALLACE OF CALIFORNIA, INC.
Engineers/Planners/Surveyors
2400 WEST PALM BL. SUITE 200, ANAHEIM, CALIFORNIA 92805
(714) 933-1100 FAX (714) 933-1100

Reynolds Ranch Project

TABLE 3.7.1: REYNOLDS RANCH PROJECT

	Employees	Density (DU/AC)	Square Feet (SF)	Acres (AC)	Dwelling Unit (DU)
COMMERCIAL/RETAIL			350,000	40.5	
OFFICE (BSC)	1,600		200,000	20.1	
MINI-STORAGE				5.3	
RESIDENTIAL					
- LDR		5		20.6	103
- MDR		10.3		63.9	631
- HDR		22		9.1	200
- HDR (Senior)		50		3.0	150
Subtotal				96.6	1,084
PARKS/OPEN SPACE					
- Neighborhood Park				5.4	
- Open Space				7.3	
Subtotal				12.7	
PUBLIC FACILITIES					
- Fire				1.0	
- School				14.0	
Subtotal				15.0	
DETENTION BASIN				8.0	
INTERCHANGE/ON-RAMP				4.5	
INTERNAL STREETS				17.3	
PUBLIC FACILITIES					
- Fire (B-6)				1	
- School (B-9)				14	
Subtotal				15	
TOTAL			550,000	220.0	1,084

3.7.4. REGULATORY FRAMEWORK

There are several regulatory documents that serve as a guide for land use and development on the project site. The following review of these documents is categorized based on the four jurisdictions that oversee the regulation of the project site: the City of Lodi; the County of San Joaquin; the San Joaquin County Local Agency Formation Commission (LAFCO), and the San Joaquin Council of Governments (SJCOG). Regulations that specifically relate to agricultural use are discussed separately.

City of Lodi. The project site is located in San Joaquin County but is within the City of Lodi's Sphere of Influence. As part of the development process, the City would annex this area. The following City of Lodi documents are discussed: City of Lodi General Plan; City of Lodi Housing Element; City of Lodi Zoning Ordinance; City of Lodi Growth Management Ordinance; Lodi Bicycle Transportation Master Plan; and the Parks, Recreation, and Open Space Plan.

City of Lodi General Plan. The Lodi General Plan was adopted in June 1991, and represents the official policy regarding the future character and quality of development within the City of Lodi. The General Plan designates the general distribution of different types of land uses within the City, and the document serves as a point of reference for public officials when making land use and planning decisions. The purpose of the General Plan includes:

- Identify the community's land use, circulation, environmental, economic, and social goals and policies as they relate to land use and development;
- Provide the basis for local government decision making;
- Provide citizens with the opportunities to participate in the planning and decision making processes of local government; and
- Inform citizens, developers, decision makers, and other city and county jurisdictions of the ground rules that will guide development within the community.

The General Plan includes the following elements: Land Use, Growth Management, Housing (in a stand alone document), Circulation; Noise; Conservation; Parks; Recreation, and Open Space; Health and Safety; Urban Design and Cultural Resources. For each of these elements, the General Plan outlines goals, policies, standards, and implementation programs. A goal is considered a direction-setter, an ideal future end, condition, or state. A policy is a specific statement that guides decision-making. A standard is a specific, quantified guideline that is incorporated into a policy or implementation program. An implementation program is an action, procedure, program or technique that carries out general plan policy.

While the project site is located outside the City of Lodi's jurisdictional boundary, it is within the City's Sphere of Influence. The project site has been given a land use

designation in the City's General Plan, and the goals and policies of the General Plan are applicable. The current General Plan designation for the project site is Planned Residential Reserve (PRR). Figure 3.7.1 shows the existing General Plan designation for the project site. The PRR designation permits changes in land uses on properties so designated in accordance with General Plan policies. The PRR designation is applied to areas between Harney Lane and Armstrong Road, west of State Route (SR) 99, which are well suited for residential development, but are not expected to develop within the time frame of the existing General Plan (through 2007). Until these areas are re-designated with a non-reserve GP land use designation, allowed uses and development standards are the same as those of the agricultural designation.

General Plan amendments are proposed as part of the development approvals for the Development Plan and the entire Reynolds Ranch Project. The Development Plan, which addresses future commercial retail and office uses on the eastern portion of the project site, proposes the following General Plan designations: Retail Commercial and Office. The Reynolds Ranch Project, which addresses future development of the entire project site (including those areas to be designated for retail commercial and office uses) will designate the remainder of the site as follows: Low Density Residential; Medium Density Residential; High Density Residential; Senior High Density Residential; Public/Quasi-Public; Open Space; Detention Basins; and Parks. Descriptions of these General Plan designations are found below

- *General Commercial (GC)*: This designation provides for land-intensive retail and wholesale commercial uses, public and quasi-public uses, mini-storage, and similar and compatible uses. The FAR shall not exceed 0.40. This designation is applied to areas adjacent to major streets that are either currently used for intensive commercial uses or are well suited for such uses.
- *Neighborhood Commercial (NCC)*: This designation provides for neighborhood and locally oriented retail and service uses, multifamily residential units, public and quasi-public uses, and similar and compatible uses. The FAR shall not exceed 0.40 for commercial uses, and residential densities shall be in the range of 7.1 – 20.0 units per gross acres.
- *Office (O)*: This designation provides for professional and administrative offices, medical and dental clinics, laboratories, financial institutions, multifamily residential units, public and quasi-public uses, and similar and compatible uses. The FAR shall not exceed 0.50 for office uses, and residential densities shall be in the range of 7.1-20.0 units per gross acre. Residential uses in this designation are assumed to have 2.25 persons per household.
- *Low Density Residential (LDR)*: This designation provides for single-family detached and attached homes, secondary residential units, public and quasi-public uses, and similar and compatible uses. Residential densities range from 0.1 to 7.0 units per gross acre. This designation assumes an average of 2.75 persons per household.

- *Medium Density Residential (SMDR)*: This designation provides for single-family and multi-family residential units, public and quasi-public uses, and similar and compatible uses. Residential densities range from 7.1 to 20.0 units per gross acre. This designation assumes an average of 2.25 persons per household.
- *High Density Residential (HDR)*: This designation provides for multi-family residential units, group quarters, public and quasi-public uses, and similar and compatible uses. Residential densities range from 20.1 to 30.0 units per gross acres. This designation assumes an average of 2.00 persons per household.
- *Senior High Density Residential (SHDR)*: This designation provides for seniors only multi-family residential units, group quarters, public and quasi-public uses, and similar and compatible uses. Residential densities range from 20.1 to 30.0 units per gross acres. This designation assumes an average of 2.00 persons per household.
- *Public/Quasi-Public (PQP)*: This designation provides for government-owned facilities, public and private schools, and quasi-public uses such as hospitals and churches. The FAR shall not exceed 0.50.
- *Detention Basins and Parks (DBP)*: This designation provides for drainage detention basins and public parks. The FAR in these areas shall not exceed 0.20.

Figure 3.7.7 indicates the proposed General Plan designations within the Development Plan and the entire Reynolds Ranch Project.

In addition to the foregoing, the City is contemplating a General Plan and Sphere of Influence Amendment that would extend the City's General Plan and Sphere of Influence boundaries further to the south of the project site to meet the furthest northern extent of the City of Stockton's 2035 General Plan Update boundary. Under this scenario, the area located ½ mile to the south of Harney Lane, which also represents the project area's southern boundary, would continue to be designated Planned Residential Reserve (PRR) with parcels located further to the south being designated Agricultural to match the current underlying County General Plan designation.

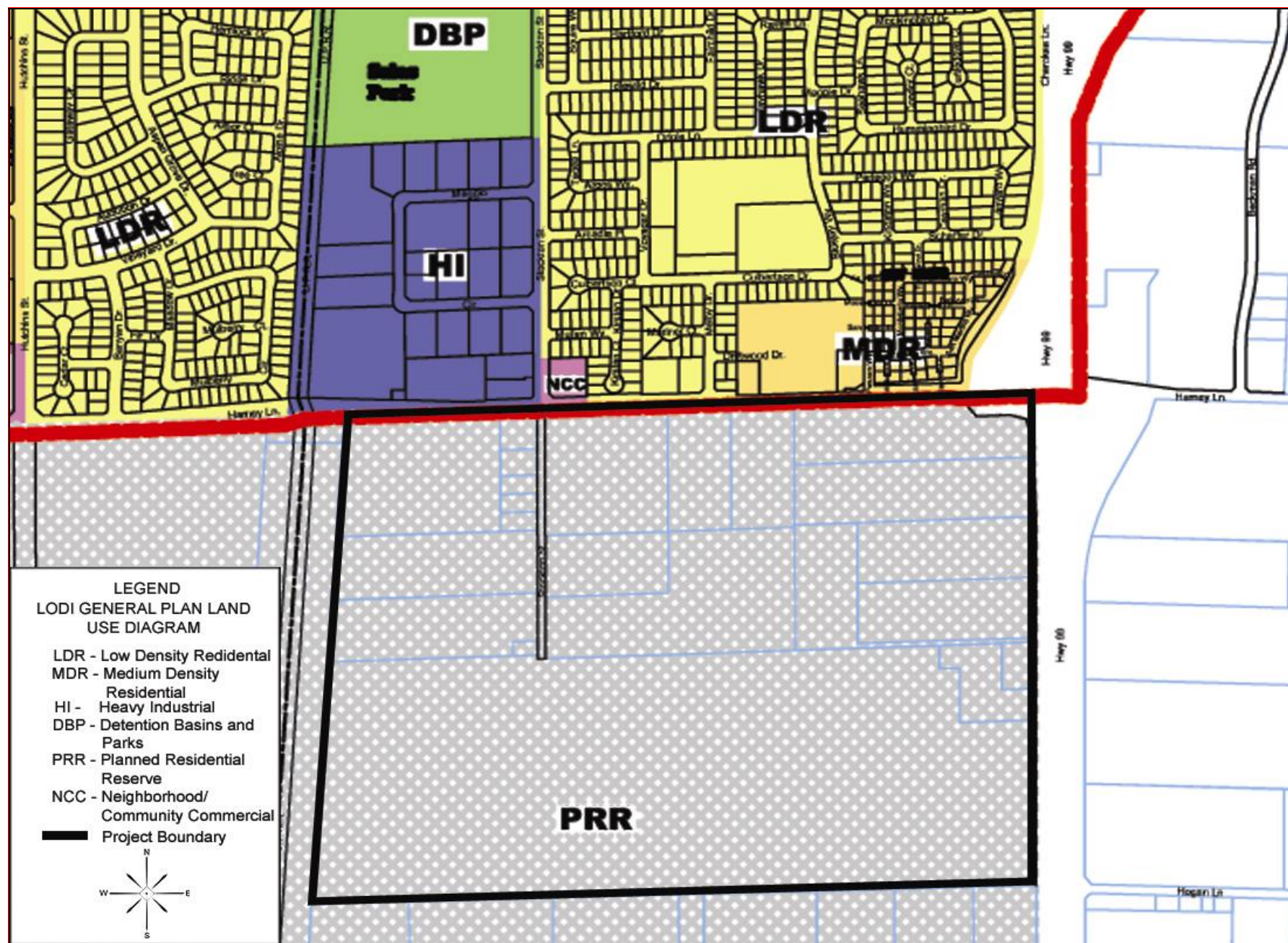


FIGURE 3.7.7: CITY OF LODI GENERAL PLAN LAND USE DESIGNATIONS

City of Lodi Housing Element. The City of Lodi 2003-2009 Housing Element was adopted in October 2004 as part of the General Plan. The Housing Element contains three sections: a community profile, an analysis of resources and constraints; and a housing strategy. The community profile contains an analysis of population, housing, and employment characteristics. The analysis of resources and constraints includes a discussion of availability of land, public and private organization that provide housing and supportive services, and funding to implement the City's housing strategy. The strategy section includes goals, policies, implementing actions, and quantified objectives to meet identified housing needs, reduce constraints, and make effective use of available resources.

The Housing Element identifies the project site as one of several annexation areas that can accommodate additional residential development. Table 3.7.2 shows the development potential of these annexation areas, as identified by the Housing Element.

TABLE 3.7.2: DEVELOPMENT POTENTIAL IN ANNEXATION AREAS IDENTIFIED IN THE HOUSING ELEMENT

General Plan Designation Designation	Average Density	Acres	Dwelling Units
LDR (Low Density)	5 du/acre	371.4	1,857
MDR (Medium Density)	15 du/acre	45.1	677
HDR (High Density)	2 du/acre	123.5	2,470
TOTAL	9.3du/acre	540	5,004

The Master Development Plan for the 220 acres would result in a residential build out of approximately 1,084 dwelling units, thus helping the city fulfill the quantified housing objectives of its Housing Element.

City of Lodi Zoning Ordinance. The City of Lodi Zoning Ordinance is intended to provide a guide for the physical development of Lodi and to encourage the appropriate use of land, and the Zoning Map identifies different zoning districts. As the project site is not within the City of Lodi jurisdictional boundary, it doesn't have zoning designations. However, all parcels within the project site that will be annexed will be pre-zoned. The project site would be pre-zoned Planned Development (see Figure 3.7.8).

- Planned Development District (P-D):* The planned development district is designed to accommodate various types of development such as neighborhood and community shopping centers, grouped professional and administrative office areas, senior citizens' centers, multiple housing developments, commercial service centers, industrial parks or any other use or combination of uses which can be made appropriately a part of a planned development. In a P-D zone, any and all uses are permitted; provided, that such use or uses are shown on the development plan for the particular P-D zone as approved by the City Council. Maximum height and bulk, and minimum setback, yard and parking and loading requirements shall be established for each P-D zone by the development plan as approved by the City Council. These development parameters would be consistent with the General Plan designation for the sites.

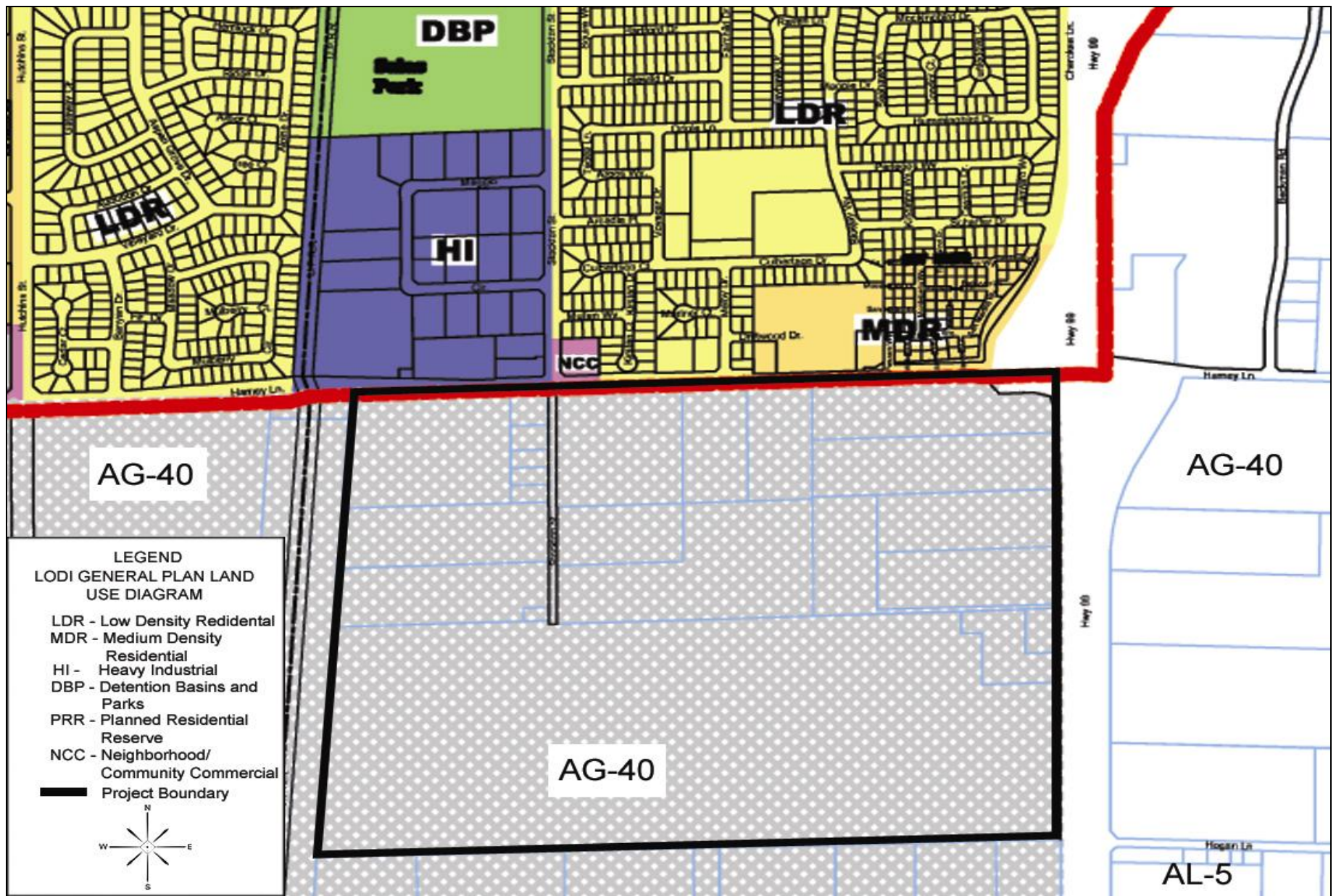


FIGURE 3.7.8: CITY OF LODI AND SAN JOAQUIN COUNTY ZONING DESIGNATIONS

City of Lodi Growth Management Ordinance. The purpose of the Growth Management Ordinance is to provide a growth management system to regulate the character, location, amount and timing of future development to help achieve the policies of the General Plan. This ordinance allows for the number of residential units approved by the City to reflect a 2 percent yearly limitation on growth-based population (see Table 3.7.3).

To be eligible to receive a building permit allocation, the applicants must submit a growth management allocation application. Each application is given a score based on an established point system.

TABLE 3.7.3: GROWTH MANAGEMENT ALLOCATIONS

	Prior to 2005	2005	2006	2007 – 2010¹	Total
Available Allocations	3,382²	448	450	1,894	6,174
Miller Ranch Allocations Granted			65		65
Anticipated FCB Allocations Requested				2,136	2,136
Anticipated Reynolds Ranch Project ³				934	934
Total Allocations Requested/Granted			65	3,070	3,135
Total Allocations Remaining					3,039

¹Projected Allocations available are based on annually projected population increases of 2.0%.

²The City's Growth Management Resolution (Adopted September 4, 1991) states that "unused allocations may roll over into subsequent years without limit."

³Requested allocations exclude 150 senior housing units in the SHDR planning areas which are exempt from the Growth Management Resolution.

The growth management allocation point system assigns priority based on a variety of criteria. These criteria include agricultural land conflicts, relationship to public services, open space and site plan, and project design. Projects that receive a high number of points would be projects that would be allocated in areas the City has envisioned to develop, or have incorporated beneficial components into the site design.

Between the years 2007 through 2010, and based on annual population projections of approximately 2.0%, there are projected to be 1,894 building permit allocations accrued. Additionally, allocations not used in previous years may be allocated. As indicated in Table 3.7.3, these unused allocations, combined with the projected allocations for the years 2007 through 2010, total 6,174 available allocations.

Two prior projects (Miller Ranch and FCB) have either used or will use a total of 2,201 allocations. The Reynolds Ranch project is anticipated to use 934 allocations, thus leaving 3,039 building permit allocations available for future projects.

Lodi Bicycle Transportation Master Plan. The Bicycle Transportation Plan outlines goals for bicycling in Lodi, a proposed network of bikeways within the city, and a set of programs and policies to support bicycling. This Plan seeks to achieve the following goals:

- Provide bicycle facilities to serve the needs of all types of cyclists in Lodi.
- Coordinate the bicycle facilities that exist and are to be constructed in unincorporated San Joaquin County.
- Allow for priority use by cyclists on some trails and streets, just as priority use by motor vehicles is allowed on arterial streets.
- Provide a continuous network of bike lanes on the City's arterial streets, to allow for the safest and most efficient bicycle commuting possible to major destinations. Bike lanes will serve experience commuting cyclists.
- Provide a second continuous network of dedicated bike paths and designated bikeways on streets with low traffic volumes, to allow for unimpeded flow of bicycles in areas where there are not significant conflicts with vehicular traffic. These bikeways will serve cyclists who prefer quiet, separated bikeways.

City of Lodi Parks, Recreation, and Open Space Plan. The City of Lodi Parks, Recreation, and Open Space Plan identifies the recreational needs in the Lodi area, develops a strategy for meeting these needs and establishes management and operational policies for administering the program. This plan was adopted in 1994, and was intended to serve as 15-year guide. This plan includes a description of existing park and recreation facilities, as well as providing recommendations with regards to future park and recreational facilities. Parks and recreational facilities are discussed in more detail in Section IV.K, Public Services.

County of San Joaquin. The project site lies within unincorporated San Joaquin County. An approval by the San Joaquin County Local Agency Formation Commission (LAFCO) of annexation to the City of Lodi is requested as part of the project.

San Joaquin County General Plan. The San Joaquin County General Plan 2010 was adopted by the Board of Supervisors in 1992. The General Plan expresses long-rang public policy to guide the use of private and public lands within a community's boundaries. The San Joaquin County General Plan is the County's official position on development and resource management. The San Joaquin County General Plan designation for project site is Agriculture.

San Joaquin County Title 9 Development Title. The purpose of the Development Title is to implement the San Joaquin General Plan and to achieve the following objectives:

- To encourage the most appropriate use of land and the harmonious relationship among land uses;
- To promote a safe and efficient traffic circulation system;
- To provide open spaces for light and air;
- To prevent overcrowding of land and the undue concentration of population;
- To secure safety from fire and other dangers;
- To facilitate the provision of needed community facilities;
- To conserve and stabilize the value of property; and
- To conserve the County's natural beauty, to improve its appearance, and to enhance its physical character.

The San Joaquin County zoning designation for the project site is GA-40 (General Agriculture Zone - 40 Acre Minimum). This zoning designation is similar to the County's EA (Exclusive Agriculture Zone). Both zoning designations encourages agricultural uses.

Annexation is proposed as part of the project. If annexed, the San Joaquin Development Title 9 regulations would no longer apply to parcels in the project area.

San Joaquin Local Agency Formation Commission. The San Joaquin Local Agency Formation Commission (LAFCO) is a countywide regulatory agency that coordinates changes in local government boundaries. LAFCO approves jurisdictional boundary changes, including annexation of land into a city. The project site would fall under the purview of LAFCO for review of the annexation.

LAFCO has established factors that are considered in the review of proposals. Some of these factors include: population and population density; the need for organized community services; the effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structures of the county; and the extent to which a proposal will affect a city or cities and the county in achieving their respective fair share of the regional housing needs as determined by the council of governments. The San Joaquin LAFCO makes the final determination as to whether the project sites could be annexed by the City of Lodi.

San Joaquin Council of Governments. The San Joaquin Council of Governments (SJCOG) has developed a San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (Plan). The key purpose of the Plan is to provide a strategy for balancing the need to conserve open space and the need to convert open space to non-

open space uses while protecting the region's agricultural economy. The plan is intended to mitigate impacts to plant, fish and wildlife and to compensate for impacts to recreation, agriculture, and open space.

Under this Plan, new development within the Plan area must pay compensation for the loss of undeveloped land. The project site falls within the Plan area.

Agricultural Use Regulations. The following section describes regulations that are specifically related to agricultural uses. These include Williamson Act Contracts, the Farmland Mapping and Monitoring Program, and the City of Lodi "Right-to-Farm" Ordinance.

Williamson Act Contract. The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands. The Williamson Act creates an arrangement between private landowners and counties/cities, where the landowner agrees to restrict their land to agricultural or open space uses. In return, these parcels are then assessed for property tax purposes at a rate that is consistent with their actual use and not their potential market value.

Parcel 058-110-41, the southerly most parcel on the project site (see Figure 3.7.9), is under an active Williamson Act Contract. However, upon annexation, the City will exercise its option not to succeed the rights of the County under the Williamson Act Contract. Furthermore, the City, in accordance with Williamson Act provisions, had previously filed a formal Resolution with the County Board of Supervisors protesting the execution of the conservation contract for Parcel 058-110-41 (Resolution 4449 adopted December 21, 1977). In addition, The San Joaquin Local Agency Formation Commission adopted a formal Resolution upholding the City's protest of the conservation contract because the parcel is located within one mile of the City limits.

City of Lodi Right-to-Farm Ordinance. Chapter 8.18 of the Lodi Municipal Code provides notice of agricultural operations affecting other properties. It is the policy of the city to protect, preserve and encourage the use of viable agricultural land for the production of food and other agricultural products. The seller of any real property is required to provide a disclosure statement which states that the City of Lodi permits operation of agricultural operations within city limits, including those using chemical fertilizers and pesticides. The statement further states that the property may be close to agricultural lands, and that the residents may be subject to inconvenience or discomfort arising from agricultural uses or the use of chemicals and pesticides.

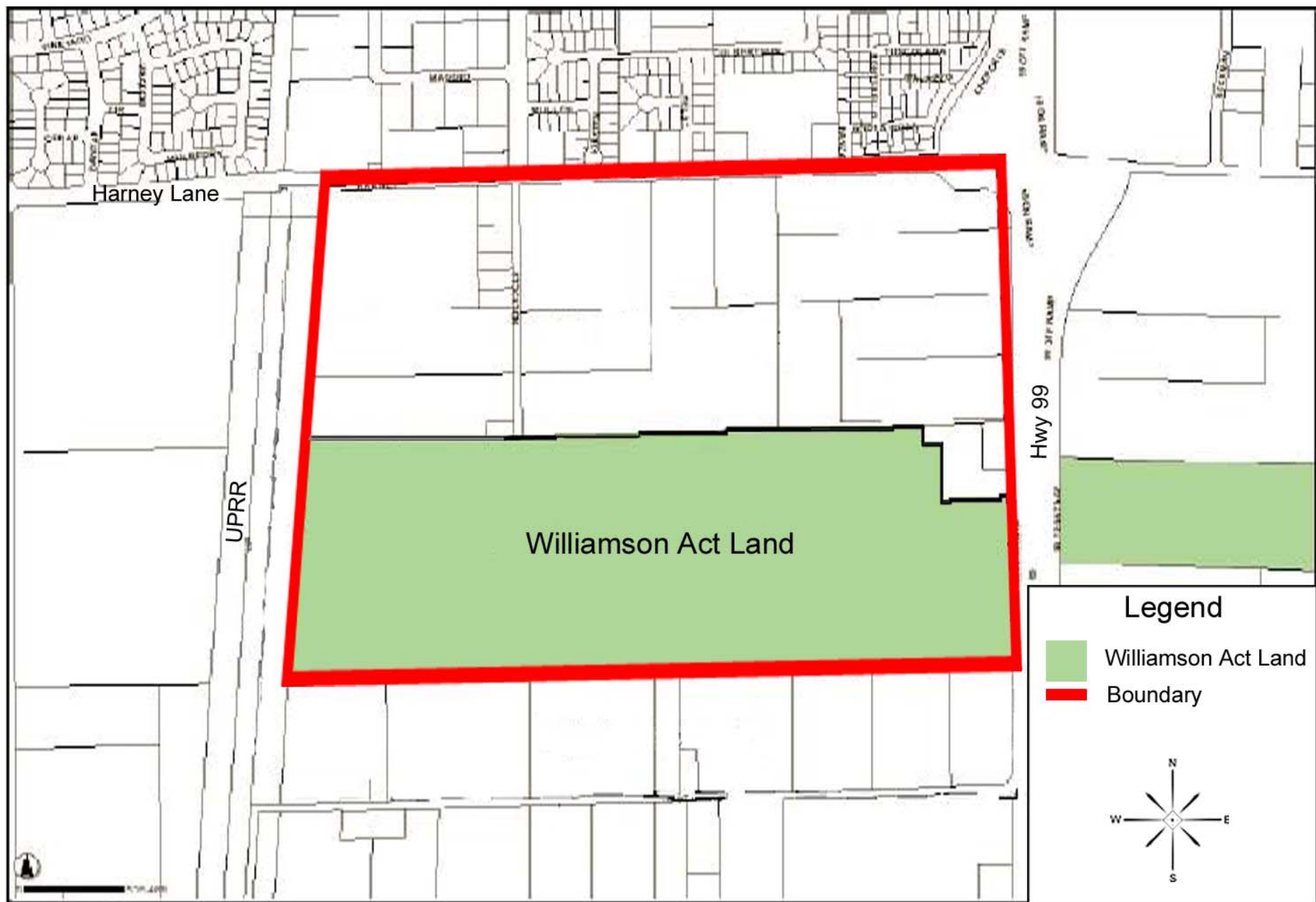


FIGURE 3.7.9: WILLIAMSON ACT LANDS

San Joaquin County Right-to-Farm Ordinance. San Joaquin County also has a Right-to-Farm Ordinance. This ordinance requires that all applicants for building permits for new residential construction be provided with a Right-to-Farm Notice. This Notice states that the County recognizes and supports the right to farm agricultural lands, and that residents of property on or near agricultural land should be prepared to accept the inconveniences or discomforts associated with agricultural operations, including noise, odors, insects, fumes, dust, 24-hour operations, and the use of fertilizers. The County has determined that inconveniences or discomfort associated with agricultural operations shall not be considered a nuisance. The County has established a grievance committee to assist in the resolution of disputes that may arise between residents of the County regarding agricultural operations or activities.

3.7.5. THRESHOLDS FOR DETERMINING SIGNIFICANCE OF IMPACTS

Implementation of the proposed project would have a significant effect on land use and agriculture if it would:

- Physically divide an established community;
- Result in a fundamental conflict between adjacent or nearby land uses;
- Fundamentally conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan or zoning ordinance), adopted for the purpose of avoiding or mitigating an environmental effect, and where such conflict would actually result in an adverse physical change in the environment;
- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use;
- Conflict with existing zoning and agricultural use, or a Williamson Act contract; or
- Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

3.7.6. PROJECT IMPACTS

This subsection analyzes environmental impacts related to land use that could result from implementation of the proposed project. The subsection begins with the criteria of significance, which establish the thresholds for determining whether an impact is significant. The latter part of this subsection presents the impacts associated with the proposed project. As noted earlier, conflicts between a project and applicable policies do not constitute significant physical environmental impacts in and of themselves; as such, the proposed project's consistency with applicable policies is discussed separately from the physical land use impacts associated with the proposed projects. A policy

inconsistency is considered to be a significant adverse environmental impact only when it is related to a policy adopted for the purpose of avoiding or mitigating an environmental effect and it is anticipated that the inconsistency would result in a significant adverse physical impact based on the established significance criteria. The proposed project's consistency with regional policies related to physical environmental topics (e.g., air quality, transportation, and noise) is fully analyzed and discussed in those topical sections of this EIR.

LESS-THAN-SIGNIFICANT IMPACTS.

Implementation of the proposed project would result in the less-than-significant impacts described below.

- (1) **Community Integrity.** The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying area. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The proposed project would result in the development of a variety of land uses on a single project site and would include the annexation of parcels within the City of Lodi Sphere of Influence. The majority of the land that would be developed is currently in agricultural production. The development plans would include commercial retail and office uses, residential development, and public uses such as parks and trails, a school site, and fire station site. The project would include internal roadways, sidewalks, and bicycle paths, which would allow for circulation within the project area. Several of the roads will be stubbed out on the western boundary. This was done so as not to preclude opportunities for circulation connections to the west if development should occur. The proposed project would not include any features that would prevent or restrict access to or through the project site.

- (2) **Result in the Conversion of Other Farmland.** The project site is located adjacent to land to the west and south that is currently in active agricultural production. Given that the development of the project site would involve the installation of utilities, it may be easier to convert adjacent agricultural land to non-agricultural uses. However, proposed utility lines within the project site itself will be stubbed out at their southerly termini to prevent future connections to the south. In addition the agricultural areas to the west and south are in San Joaquin County. The County, therefore, would have jurisdiction over the development of these areas.
- (3) **Applicable City of Lodi Land Use Plans and Policies.** Annexation of the project site to the City of Lodi would occur as part of the project. As such, this

section briefly discusses the relationship of applicable City of Lodi plans and policies.

- (4) **Population and Housing.** As indicated in Section 1.3, the proposed project has the potential to induce growth resulting from the conversion of existing agricultural land to urban uses. However, projected increases in housing and population resulting from the project are consistent with housing and demographic projections already contained in the City's adopted Housing Element. Furthermore, subsequent and more detailed development entitlements are anticipated in the future which will include subsequent environmental reviews that more fully assess the population and housing impacts associated with the more specific development.

City of Lodi General Plan. A discussion of the projects' adherence to General Plan policies is discussed in Section 3.7.4.

General Plan Policies. There is only one area where the proposed project does not comply with General Plan policies: the conversion of agricultural land. The proposed project includes the conversion of agricultural land. While the General Plan includes statements of support for agriculture use, both the project site is designated as Planned Residential Reserve (PRR), which would indicate the City has planned for these properties to be converted to residential uses.

City of Lodi Housing Element. The projects' relationship with applicable Housing Element policies is discussed in Section 3.7.4.

The City of Lodi Housing Element identifies the project site as an area to be developed with residential uses. The Element generally discusses the potential housing units for this site as well as other similar sites.

The Element discusses the desire for the following mix of residential land uses: 65 percent low density, 10 percent medium density, and 25 percent high density. The proposed project would have the following mix of residential land uses: 45 percent low density units, 34 percent medium density units, and 21 percent high density units.

Zoning Ordinance. The applicant has applied for a Planned Development (PD) zoning designation for the project site. This designation allows more flexibility with the development standards in the Zoning Ordinance. The parameters of the proposed PD designation would be approved by the Planning Commission.

Growth Management Ordinance. For the project, the applicant will submit growth management allocation applications over a 5-year period for 103 low-density residential units, 631 medium density residential units, and 200 high-density residential units, for a total of 934 residential dwelling units. Growth management allocations are not needed for the planned 150 high-density senior housing units. (See Table 3.7.3) The City Council will make the final determination as to whether the applicant will receive the building allocations for the residential component of the proposed project.


Large Scale Retail Uses. At the time of the preparation of this EIR, the tenants of the Retail Commercial component of the project were unknown. When these tenants are identified and, if they should include any large discount warehouse establishments, oftentimes referred to as “big box” retailers, then a new EIR that is not tiered off this EIR shall be prepared to address any unique impacts associated with such uses that have not been addressed in this EIR. In particular, such documentation shall include an Economic Impact Analysis to assist in determining whether the introduction of such uses to the project site could indirectly result in physical decay in older, existing commercial areas of the City. The new EIR, that is not to be tiered off this EIR, shall be prepared and certified by the City prior to considering the approval of any permits required for the establishment of such uses on the project site.

Bicycle Transportation Master Plan. Implementation of the development plan would likely require an amendment to the City’s Bicycle Transportation Master Plan. The master plan includes a Class II bike path along Harney Lane. An additional Class II bike path is shown on Stockton Street (north of Harney Lane). The project proposes both pedestrian and bicycle paths and linkages throughout the project site; however these proposed locations are not currently shown in the Bicycle Transportation master Plan. The Public Works Department and Parks and Recreation Department will make the final determination regarding amendments to the Bicycle Master Plan.

SIGNIFICANT IMPACTS.

Implementation of the proposed project would result in the following significant impacts.

Land Use and Community Compatibility Conflicts. The project would generally be adjacent to urban uses (residential/public uses) to the north, and adjacent to agricultural uses to the west and south. Development of the proposed project would lead to the following impacts.

- (1)  **Conversion of Prime Farmland^[pp1].** The Farmland Mapping and Monitoring Program identifies one parcel on the project site (APN 058-110-41), as Prime Farmland.
- (2) **Conflict with Zoning, Agricultural Use or Williamson Act Contract.** The parcels on the project site are currently zoned GA-40 (General Agriculture Zone – 40 Acre Minimum. As part of the annexation process, the parcels would be pre-zoned by the City of Lodi as Planned Development.
- (3) **Expose Future Residents to Existing Incompatible Land Uses.** Future residents of the project may be exposed to incompatible existing uses in the project vicinity, such as the existing Union Pacific Railroad right-of-way which borders the project site along its western edge.

Impact 3.7.1: The proposed project could result in a land use conflict with surrounding land uses.

Agricultural uses are located immediately west and south of the project site and east of State Route 99 which makes up the eastern boundary of the project site. Existing

agricultural uses located to the west are currently separated from the project site by an existing railroad (Union Pacific Railroad right-of-way). Development of the project site will further enhance this separation by including physical barriers and other features to buffer future residential development on the project site not only from the existing agricultural uses but the railroad itself. These features include, but are not limited to, minimum 8-foot high walls, a planned mini storage facility along the western portion of the project site, open space areas with landscaping, and hiking and riding trails. In addition to the foregoing, an agricultural buffer is planned along the southern periphery of the project site.

However, even with the buffer zones and other physical features planned for the project site, future residents may still be exposed to agricultural uses which could include late night agricultural operations, nuisance odors, dust and wind erosion, and related conditions.

The following mitigation measures are proposed to reduce the potential conflicts associated with the proposed project and the ongoing agricultural operations to the west, east, and south.

Mitigation Measure 3.7.1: To reduce agricultural/residential land use incompatibilities, the following shall be required:

- a. The applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance.
- b. The conditions of approval for tentative maps shall include requirements ensuring the approval of a suitable design and the installation of a landscaped open space buffer area, fences, and/or walls around the perimeter of the project site affected by the potential conflicts in land use to minimize conflicts between project residents, non-residential uses, and adjacent agricultural uses prior to occupancy of adjacent houses.
- c. Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department.

Impact 3.7.2: The proposed project would result in the conversion of approximately 110 acres of Prime Farmland to non-agricultural uses.

Parcels located within the project site are primarily used in agricultural production, with the southerly portion of the project site designated as Prime Farmland. Development of

the proposed project would result in the conversion of this Prime Farmland to non-agricultural uses. This impact would be considered less-than-significant with implementation of the following mitigation measure.

Mitigation Measure 3.7.2: Prior to issuance of a building permit, the applicant shall identify agricultural acreage in close proximity to the project area to permanently protect in perpetuity as an agricultural use or pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland.

3.7.7. CUMULATIVE IMPACTS

The City of Lodi and surrounding region are experiencing the loss of prime farmland through growth. Multiple development projects are proposed, approved, or currently under construction in the City and region. These projects are causing a loss of farmland in the region, which can adversely affect the economy of the region. The proposed project would contribute to this cumulative loss of farmland by developing 220 acres of mostly agricultural (vineyards) land.

Since the loss of farmland being experienced is region-wide, and development pressures affect the entire region, the most effective mitigation is a regional planning effort to conserve valuable farmland agricultural resources in the region. Efforts to preserve agricultural land in San Joaquin County are underway, including the Farmland Mapping and Monitoring Program described above. Additional efforts include the ongoing implementation of provisions of the Williamson Act and efforts by such groups as the American Farmland Trust which promotes the preservation and conservation of agricultural resources by conducting case studies and producing reports documenting the conversion of agricultural land to other uses. It should be noted that the project's implementation of Williamson Act provisions, as well as other mitigations (described above) would result in conservation actions and the payment of funds that will be used to conserve agricultural areas. Therefore, with the incorporation of Mitigation Measures 3.7.1 and 3.7.2, the proposed project would not significantly contribute to cumulative losses of agricultural resources.

3.7.8. LEVEL OF SIGNIFICANCE AFTER MITIGATION

With the incorporation of Mitigation Measures 3.7.1 – 3.7.2 the proposed project would not significantly impact land uses. The following table is a summary of the thresholds of significance, potential impacts, and associated mitigation measures.

TABLE 3.7.4: SUMMARY OF LAND USE THRESHOLDS OF SIGNIFICANCE, IMPACTS, AND MITIGATION MEASURES

Threshold of Significance	Mitigation Measure	Level of Significance
Physically divides an established community.	None required.	No Impact
Fundamentally conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan or zoning ordinance), adopted for the purpose of avoiding or mitigating an environmental effect, and where such conflict would actually result in an adverse physical change in the environment.	<p>Mitigation Measure 3.7.1: To reduce agricultural/residential land use incompatibilities, the following shall be required:</p> <ul style="list-style-type: none"> a. The applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance. b. The conditions of approval for tentative maps shall include requirements ensuring the approval of a suitable design and the installation of a landscaped open space buffer area, fences, and/or walls around the perimeter of the project site affected by the potential conflicts in land use to minimize conflicts between project residents, non-residential uses, and adjacent agricultural uses prior to occupancy of adjacent houses. c. Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department. 	Less than Significant Impact After Mitigation
Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use.	Mitigation Measure 3.7.2: Prior to issuance of a building permit, the applicant shall pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland.	Less than Significant Impact After Mitigation
Conflicts with existing zoning and	Mitigation Measure 3.7.2	Less than

TABLE 3.7.4: SUMMARY OF LAND USE THRESHOLDS OF SIGNIFICANCE, IMPACTS, AND MITIGATION MEASURES

Threshold of Significance	Mitigation Measure	Level of Significance
agricultural use, or a Williamson Act contract; or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.	In addition, the inclusion of Parcel 058-110-41 on the project site in an active Williamson Act Contract was formally protested by the City with the County Board of Supervisors (Resolution 4449 adopted December 21, 1977). Additionally, the San Joaquin Local Agency Formation Commission adopted a formal resolution upholding the City's protest of the conservation contract because the parcel is located within one mile of the City limits.	Significant Impact After Mitigation